



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,470	12/16/2003	James A. Hough	F-670	1469
919	7590	04/14/2006	EXAMINER	
PITNEY BOWES INC. 35 WATERVIEW DRIVE P.O. BOX 3000 MSC 26-22 SHELTON, CT 06484-8000			BALSIS, SHAY L	
			ART UNIT	PAPER NUMBER
			1744	
DATE MAILED: 04/14/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/707,470

Applicant(s)

HOUGH ET AL.

Examiner

Shay L. Balsis

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/16/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first and second strips on the upper surface must be shown or the feature(s) canceled from the claim(s). Additionally, the second strip of material with open cell foam and brush bristles needs to be shown. Lastly, a leading end handle on the substrate needs to be shown. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the second surface" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-3, 5, 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Gelardi et al. (USPN 5457843).

Gelardi teaches a machine optics cleaner comprising a substrate sheet (3) with an upper and lower surface (claims 1 and 2). The upper surface of the sheet comprises a first and second strip of material (15) (claim 1). The first and second strips of material will compress when drawn through a roller (col. 5, lines 54-60) (claim 1). The first strip is separated from the second strip by a first distance (figure 1) (claim 1). The first strip of material comprises open cell foam (col. 4, lines 9-12) (claim 3). The first strip of material comprises lint-free, lead-free, non-abrasive, open cell foam (col. 3, lines 11-15; lines 50-51) (claim 5). The substrate sheet has a

Art Unit: 1744

leading edge handle (7) (claim 7). The substrate sheet has approximately the planar dimensions of a letter-sized sheet of paper (col. 5, lines 36-40) (claim 8).

Claim 1-3, 5, 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Silva (PGPub 2004/0226124).

Silva teaches a substrate sheet (60) with an upper and lower surface (claims 1 and 2). The upper surface of the sheet comprises a first and second strip of material (58, 158; figure 10 shows six different strips and figure 18 show three) (claim 1). The first and second strips of material will compress when drawn through a roller since they are made of a spongy material (claim 1). The first strip is separated from the second strip by a first distance (62, 162) (claim 1). The first strip of material comprises open cell foam (page 3, claim 8 of the prior art) (claim 3). The first strip of material comprises lint-free, lead-free, non-abrasive, open cell foam since it is being used for painting purposes (claim 5). The substrate sheet has a leading edge handle (60) (claim 7).

Claim 1-2, 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Bhattacharjee et al. (USPN 5227844).

Bhattacharjee teaches a cleaning sheet comprising a substrate sheet (30) with an upper and lower surface (claims 1 and 2). The upper surface of the sheet comprises a first and second strip of material (40) (claim 1). The first and second strips of material will compress when drawn through a roller since they are made of a resilient material (claim 1). The first strip is separated from the second strip by a first distance (figure 2) (claim 1). The substrate sheet has a leading edge handle (52) (claim 7).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gelardi et al. in view of Kikuchi et al. (USPN 6353233)

Gelardi teaches that the first strip of material is closer to the front edge of the substrate sheet than the second strip of material. Gelardi also teaches that the second strip is made from open cell foam material. Gelardi however fails to teach that the open cell foam material of the second strip comprises brush bristles. Kikuchi teaches a cleaning sheet comprising bristles (3a). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gelardi's second strip so that it comprises bristles as taught by Kikuchi so that the bristles will aid in cleaning contaminants such as dust attached to the sensors (col. 4, lines 46-53).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gelardi et al.

Gelardi teaches all the essential elements of the claimed invention however fails to teach that the substrate has approximately the planar dimensions of a number 10 envelope. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gelardi's substrate to have dimensions approximately equal to a number 10 envelope since the only difference between the prior art and the claims is a recitation of relative dimensions of the claimed device. A device having the claimed relative dimensions would not

Art Unit: 1744

perform differently that the prior art device, and therefore, the claimed device is not patentable distinct from the prior art device. MPEP 2144.04.

Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silva or Bhattacharjee et al.

Silva and Bhattacharjee teach all the essential elements of the claimed invention however fail to teach that the substrate has approximately the planar dimensions of a number 10 envelope or that the substrate has the approximate dimensions of a letter sized sheet of paper. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Silva and Bhattacharjee's substrates to have dimensions approximately equal to a number 10 envelope or to a letter sized sheet of paper since the only difference between the prior art and the claims is a recitation of relative dimensions of the claimed device. A device having the claimed relative dimensions would not perform differently that the prior art device, and therefore, the claimed device is not patentable distinct from the prior art device. MPEP 2144.04.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shay L. Balsis whose telephone number is 571-272-1268. The examiner can normally be reached on 7:30-5:00 M-Th, alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on 571-272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SLB
4/4/06



GLADYS JP CORCORAN
SUPERVISORY PATENT EXAMINER